

AMENDMENT UNDER 37 C.F.R. § 1.111  
Application No.: 10/801,593

Attorney Docket No.: Q80075

**AMENDMENTS TO THE DRAWINGS**

Two (2) sheets of replacement sheets are attached herewith reflecting changes to FIGS. 6 and 7, which add reference numeral 600 thereto. No new matter is added.

Attachment: Replacement Sheets

**REMARKS**

Claims 1-10 are all the claims pending in the application. Claims 1, 4-6, 9 and 10 presently stand rejected. Claims 2, 3, 7 and 8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form.

Claims 1 and 6 are rejected under 35 U.S.C. § 102(b) as being anticipated by Milner (4,862,152).

Claims 1, 4, 5, 6, 9 and 10 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Katagiri et al. (2003/0001818) in view of Sasaki et al. (5,499,306).

**Analysis**

Applicants amend the claims to more clearly define the virtual handwriting plane in the present invention and distinguish the virtual handwriting plane from the fixed planes in the prior art.

At page 3, lines 15-16, the Examiner states that Milner discloses a “computer is adapted such that the position of the transmitter is used to control the position of a cursor 220 on the display”. The Examiner uses this disclosure to argue that the virtual handwriting plane is determined by being adapted or based on the tracked position changes of the body of the system.

Thus, the Examiner continues to interpret the virtual handwriting plane of the present invention as the fixed plane of the receivers 120, 130, 140 with respect to the computer monitor 210 having the cursor 220 moved in accordance with the transmitter 150.

However, as clarified in the amended claims, the handwriting plane of the present invention is virtual. As noted in the originally filed specification, the virtual handwriting plane is in three dimensional space, see page 8, paragraph [36], which refers to FIG. 6 and page 10,

paragraph [42], which refers to FIG. 7. Further, as discussed at paragraph [32], the process for determining a virtual handwriting plane is a process for determining a plane most adjacent to a set of respective points derived from handwriting tracks in three-dimensional space. Thus, **the virtual handwriting plane is virtually produced in three-dimensional space**, rather than on a fixed display, such as the receivers in Milner and the display part 22 discussed in the background section of the pending specification (see page 2).

Milner is silent with respect to determining a virtual handwriting plane in space. That is, Milner is silent with respect to how the motions of the transmitter 150 can be processed into a virtual handwriting plane in three-dimensional space before being displayed on the monitor. While the present invention involves an intermediate step of forming a virtual handwriting plane based on the actual motions of the transmitter before positioning the points on the display, Milner simply uses the receivers 120, 130, 140 to interpret the movements of the transmitter 150 and transmits these received movements for display. There is no intermediate process of producing a virtual handwriting plane in space.

In view of the foregoing, claims 1, 4-6, 9 and 10 are distinguishable from the cited references.

### **Conclusion**

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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